

**IN THE SPECIFICATION:**

The specification as amended below with replacement paragraphs shows added text with underlining and deleted text with ~~strike through~~.

CM  
02/14/2007 Please REPLACE the paragraph beginning at page 9, line <sup>14</sup>~~13~~, with the following paragraph:

According to another aspect of the present invention, the method of optimizing a program, comprising: extracting a data item from the program; laying out the data item on the memory provided for the computer; extracting a defined but ~~not~~-unused data item from the extracted data item; determining whether or not a plurality of unused data items forming at least a part of the data items having hierarchical structures in the unused data items can be merged into a new data item based on the layout result; and outputting the program in which the plurality of data items are merged into the new data item based on the above mentioned determination result. Since the program optimizing method can also obtain the operation and effect of the above mentioned optimizing apparatus, the above mentioned problems can be successfully solved.